

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>COLUMBIA GAS TRANSMISSION, LLC,</b>	:	<b>CIVIL ACTION NO. 1:15-CV-0360</b>
	:	
<b>Plaintiff</b>	:	<b>(Chief Judge Conner)</b>
	:	
<b>v.</b>	:	
	:	
<b>10.5068 ACRES, MORE OR LESS IN YORK COUNTY, LOCATED ON PARCEL IDENTIFICATION NO. 4400016003100, OWNED BY MARBURG MEMORIAL GARDENS INC. <i>et al.</i>,</b>	:	
	:	
<b>Defendants</b>	:	

**ORDER**

AND NOW, this 31st day of March, 2015, upon consideration of the motion (Doc. 4) for preliminary injunction filed by plaintiff Columbia Gas Transmission, LLC (“Columbia”), wherein Columbia requests immediate possession of certain easements on real property consisting of approximately 10.5068 acres in York County, Pennsylvania and located on parcel identification number 4400016003100 (the “property”), which is owned by defendant Marburg Memorial Gardens, Inc. (“Marburg”), and upon further consideration of the hearing held on March 13, 2015 and March 23, 2015 in connection with said motion, and finding that Columbia has a substantive right to condemn the easements at issue in the above-captioned action pursuant to the Natural Gas Act, 15 U.S.C. § 717f, and the blanket certificate of public convenience and necessity issued by the Federal Energy Regulation Commission (“FERC”) on January 7, 1983, 22 FERC ¶ 62,029 (1983), and for the

additional reasons set forth in the accompanying memorandum, it is hereby

ORDERED that:

1. Columbia's motion (Doc. 4) for preliminary injunction is GRANTED.
2. Columbia is entitled to immediate possession of the easements identified in the plat attached hereto as Exhibit A for the purpose of replacing a natural gas pipeline as authorized by the blanket certificate of public convenience and necessity issued by FERC. Specifically, Columbia is entitled to immediate possession of a permanent easement consisting of 0.11 acres and a temporary construction license consisting of 0.07 acres (collectively, the "easements") as depicted in Exhibit A.
3. Upon posting a bond in the amount of \$50,000 with the Clerk of Court pursuant to Federal Rules of Civil Procedure 65(c) and 71.1(j), Columbia shall have immediate possession of the easements identified in Exhibit A and articulated in this order.
4. Marburg and any other persons who own the property shall retain the right to use the property subject to the easements in a manner that will not interfere with the use and enjoyment of the rights of Columbia.
5. The court reserves a decision on the amount of any just compensation owed to the owners of the property in this action.
6. The Clerk of Court is directed to send a copy of this order to all parties and counsel of record.

/S/ CHRISTOPHER C. CONNER  
Christopher C. Conner, Chief Judge  
United States District Court  
Middle District of Pennsylvania